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(Subject to pro hac vice admission)

14 Attorneys for Plaintiff
15 CHILDREN'S HEALTH DEFENSE

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 CHILDREN'S HEALTH DEFENSE,

20 Plaintiff,

21 Case No. 20-cv-05787-SI

22 v.
23 FACEBOOK, INC., et al., ,

24 Defendants.
25 **REPLY DECLARATION OF ROGER
26 TEICH IN SUPPORT OF REQUEST
27 FOR RULE 4(F)(3) ORDER**

28 **DECLARATION OF ROGER I. TEICH**

29 I, Roger I. Teich, declare as follows:

30 1. I am a member of the State Bar of California and the Bar of the United States
31 District Court for the Northern District of California. This declaration is made in support of
32 Plaintiff's reply re: request for substituted service of foreign defendant Science Feedback. If

1 called as a witness, I could and would testify competently to the facts herein, except as to those
 2 matters stated on information and belief.

3 2. I am informed by Maurice Archelle, Paralegal, Foreign Domestication Division,
 4 ASAP Legal, LLC, and thereupon believe that service through the French central authority
 5 would cost \$1,000, and could take two to three months, and under current COVID-19
 6 conditions, I infer that it could take even more time, which would seriously delay proceedings
 7 in this case.

8 3. So far as I can determine, Science Feedback's website –
 9 <https://sciencefeedback.co/> – does not list any physical address, email address, or agent for
 10 receiving process. Plaintiff has already submitted two summonses to the Court with alternative
 11 addresses, (Dkts. ## 7, 13), neither of which proved availing.

12 4. On or about August 19, 2020, Plaintiff retained ASAP Legal, Inc. to effect “rush
 13 service attempts” of Science Feedback through its Paris affiliate, Nationwide Legal Services,
 14 pursuant to the Hague Service Convention, paid ASAP Legal, Inc. \$1,685.63 for international
 15 service, translation and reconfiguration fees, and agreed to pay another \$250 to \$350 for postal
 16 service, which was initiated by ASAP Legal Services via DHL express shipment on or about
 17 September 28, 2020. (See also Exh. “A”.) I am informed by Mr. Archelle, and thereupon
 18 believe that postal service through an international express mail company such as DH requires
 19 the signed return receipt of the recipient under French law, and therefore is unlikely to be
 20 effective with Mr. Vincent. I am further informed by an affiliate of Children’s Health Defense
 21 that Plaintiff also spent \$430, and multiple hours of largely-volunteered time to translate the
 22 case-related documents from English into French.

23 5. During our contentious phone call on September 9, 2020, in which Facebook
 24 counsel (Ari Holtzblatt) insisted that I had “breached an agreement” purportedly made in a
 25 phone conversation the previous week to which he had not been a party, Mr. Hertzblatt also
 26 stated that discovery in the case was “premature” in part because the foreign defendant had not
 27 yet been served.

1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 is true and correct to the best of my knowledge and that this declaration was executed in
3 Aquinnah, Massachusetts, on October 1, 2020.

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6 ROGER I. TEICH

7 Counsel for Plaintiff
8 Children's Health Defense

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